



**DECLARATION AND POWER OF ATTORNEY FOR  
UNITED STATES LETTERS PATENT APPLICATION**

I, a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND APPARATUS FOR DELIVERING LOW POWER OPTICAL  
TREATMENTS**

the specification of which

☒ was filed on: November 4, 2003

as Application No.: 10/702,104

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(check one)

☒ no such foreign applications have been filed.

: such foreign applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS  
FOR DESIGN) PRIOR TO THIS U.S. APPLICATION


CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATION(S)

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

(check one)

- ☐ no such U.S. provisional applications have been filed.
- ☐ such U.S. provisional applications have been filed as follows:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119(e)
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code §120, of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal

Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

(check one)

- ☐ no such U.S./PCT applications have been filed.
- ☒ such U.S./PCT applications have been filed as follows:

Application Number	Date of Filing (month,day,year)	Status (Patented/Pending/Abandoned)
09/996,662	11/29/01	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners at Customer No. 021125 of Nutter, McClennen & Fish, LLP, World Trade Center West, 155 Seaport Boulevard, MA 02210-2604, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.:

Please mail correspondence to: **Thomas Engellenner, Esq., Esq.** and direct telephone calls to: **Thomas Engellenner, Esq.** at (617) 439-2948. Please direct facsimiles to: (617) 310-9948 at **Customer No. 021125**, whose address is:

Nutter McClennen & Fish, LLP  
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Full name of first joint inventor Gregory B. Altshuler	
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Full name of second joint inventor Joseph P. Caruso	
Inventor's Signature	Date 3/29/04
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